

## **Remarks**

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

### ***Claim Rejections - 35 USC § 112***

Claims 1-4, 6, 7 and 10 have been amended to remove the issue as to indefiniteness.

Regarding the objection to claim 8, the Examiner contends the language following "one history source" is indefinite. It is submitted however that the inclusion of the functionality of the history server is in accord with the requirement to particularly point out and distinctly claim that which is the inventor regards as his invention. It is respectfully submitted the language at issue can be clearly understood by one of ordinary skill in the art and such language should be considered accordingly.

### ***Claim Rejections - 35 USC § 102***

Claims 1-8 and 10 have been rejected as being anticipated by U.S. Patent No. 2002/00099648 (Ginsberg et al.). Withdrawal of the rejections is respectfully requested for at least the following reasons.

The Ginsberg patent publication is directed to a method for placing online wagers. In contrast, applicant discloses a method for monitoring last minute changes in the information set and alerting users to these changes so that wagers may be placed, which is not a system for making online wagers.

According to claim 1, instructions are received from a user, specifying analysis criteria including at least a target sporting contest, and a nominated change in a wagering parameter within a nominated time period prior to the commencement of the target sporting contest which signifies the occurrence of a change in the wagering data significant to the user.

Ginsberg does not teach receiving instructions from a user specifying analysis criteria including at least a target sporting contest, and nominated change in a wagering parameter within a nominated time period prior to the commencement of the target sporting contest. For this reason, claim 1 is not anticipated by Ginsberg.

The method of claim 1 enables the setting of criteria to generate an alert so that the user can be alerted to the occurrence of an event which signifies that educated wagerers have entered the wagering market and are wagering on a particular competitor within the sporting contest. This will allow a user to take advantage of the changes in the wagering data based on the educated users rather than the masses, and thereby gain advantage over the masses. This advantage is a direct consequence of the method of claim 1 and is not taught, nor suggested in Ginsberg.

The dependent claims recite still further features of the method not found in a combination similar to that claimed. Inasmuch as the dependent claims are allowable for at least the same reasons as the claims from which they depend, the Examiner's comments in respect thereof need not be addressed and this should not be construed to be an acquiescence in the contentions made by the Examiner.

### ***Conclusion***

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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